

July 2, 2003

Mary L. Cottrell, Secretary  
Department of Telecommunications & Energy  
Commonwealth of Massachusetts  
One South Station, Second Floor  
Boston, MA 02110

**Re: Docket No. DTE 01-20, Response to Reply Comments of Verizon Massachusetts Regarding its Revised Compliance Filing**

Dear Ms. Cottrell:

Conversent Communications of Massachusetts, LLC ("Conversent") hereby responds to the reply comments of Verizon regarding Verizon's request that its proposed rates for WPTS hot cuts become effective, subject to the Department's subsequent investigation of the issue. For the reasons described below, Conversent urges the Department to deny Verizon's request.

In the *Initial TELRIC Order*, the Department instructed Verizon to examine the components of the hot cut process and to develop a less costly alternative for CLECs that Verizon would offer as an alternative to the fully coordinated, manually intensive hot cut process modeled in Verizon's NRCM (non-recurring cost model).<sup>1</sup> The Department fashioned this alternative on the SBC model in Texas, which was described as follows:

SWBT (Southwestern Bell Telephone) makes available two hot cut processes: the fully coordinated hot cut (CHC) process and the frame due time (FDT) hot cut process. CHC orders are manually handled in SWBT's order processing center and require intensive coordination and communication between SWBT and the competing carrier during the actual cutovers from SWBT to the competing carrier. FDT hot cuts require both SWBT and the competing carrier to perform necessary work at pre-arranged times, with no communication required at the time of the hot cut.<sup>2</sup>

According to the Department, this alternative would permit CLECs: (1) to minimize service disruptions to customers; (2) to reduce or eliminate the need for manual processing; (3) to eliminate the need for communications required during the actual cutover; and (4) to purchase a less costly alternative.<sup>3</sup> Subsequently, Verizon sought clarification that it could submit "for Department review" an alternative hot cut provisioning system that was based on its recent implementation of its Web-based WPTS (Wholesale

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<sup>1</sup> DTE MA 01-20, Part A July 11, 2002 (The *Initial TELRIC Order*).

<sup>2</sup> *Initial TELRIC Order*, at 500, citing Texas 271 Order, at ¶ 251.

<sup>3</sup> *Id.*, at 492, 499-500.

Mary Cottrell  
July 1, 2003  
Page 2 of 2

Provisioning Tracking System).<sup>4</sup> Conversent did not oppose Verizon's motion for clarification at the time and does not oppose it now, but most certainly believes that the Department should formally docket and review Verizon's proposed tariff filing and allow the parties to propose any modifications they believe are appropriate to either improve the process and/or reduce its cost.

Second, when the Department granted Verizon's motion for clarification it emphasized that its "intent was that Verizon develop a process that best met the [four] above objectives."<sup>5</sup> Conversent does not believe that the Department has sufficient information before it to determine whether the Verizon proposal is in fact the process that will best meet the above objectives. Rather Conversent believes that improvements can be made to the process to make it less manually intensive and less expensive without materially increasing service disruptions.

Third, Verizon's request contradicts the Department's January 14, 2003 *Reconsideration Order* which clarified that "Verizon's new hot cut rates will not go into effect until the alternative hot cut process, based on the SBC frame due time process, is operational to our satisfaction." As a result of this directive, Verizon has been billing Conversent the existing rates in its DTE 17 tariff and must continue doing so until the Department formally considers and approves the WPTS hot cut process. Accordingly, it would be premature for the Department to allow the proposed rate for WPTS hot cuts to go into effect until such time that it has formally reviewed the WPTS process and given the parties an opportunity to take discovery, to cross-examine Verizon witnesses pertaining to the process and costs for WPTS and put forward their own position as to improvements and modifications that could be made to Verizon's WPTS process and the steps and task times that are associated with such process.

Finally, Verizon's request is also inconsistent with a March 4, 2003 e-mail sent out by the Department that indicated that the "Department intends to open a new docket to address the hot cut alternative process Verizon filed with the DTE 01-20 compliance filing." Conversent urges the Department to abide by its previous rulings and not permit Verizon's new hot cut rates to go into effect until the alternative hot cut process and cost support have been formally considered and approved.

Thank you for your attention to this matter.

Sincerely,

Scott Sawyer  
Vice President and Counsel

SS/dh  
CC: Service List

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<sup>4</sup> Verizon Motion for Clarification at page 5.

<sup>5</sup> DTE MA 01-20, Order on Verizon Motion for Clarification Regarding Alternative Hot Cut Process (February 12, 2003).

